

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS

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No. 6:18-cv-00363

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**Darrell Jenkins,**  
*Plaintiff,*

v.

**Shawn Barnard et al.,**  
*Defendants.*

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**ORDER**

Plaintiff Darrell Jenkins, proceeding pro se and in forma pauperis, filed this civil rights lawsuit pursuant to 42 U.S.C. § 1983. This case was referred to United States Magistrate Judge John D. Love. Doc. 4.

On May 4, 2020, defendants Shawn Barnard and Jade Gomillion filed a motion for summary judgment, asserting that plaintiff failed to assert a claim upon which relief can be granted and that they were entitled to qualified immunity. Doc. 30. After plaintiff filed a response (Doc. 38), the magistrate judge issued a report and recommendation that defendants' motion for summary judgment should be denied. Doc. 41. No objections were filed to the report and recommendation.

When no party objects to a magistrate judge's report and recommendation, the court reviews it only for clear error. *See Douglass v. United Servs. Auto. Ass'n*, 79 F.3d 1415, 1420 (5th Cir. 1996). Having reviewed the magistrate judge's report, and being satisfied that it contains no clear error, the court accepts its findings and recommendation. For the reasons stated in the report, defendants' motion for summary judgment (Doc. 30) is denied.

*So ordered by the court on July 8, 2021.*

A handwritten signature in black ink, appearing to read "J. Campbell Barker", is written over a horizontal line.

J. CAMPBELL BARKER  
United States District Judge